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P EACETIME CENSORSHIP

by

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PEACETIME CENSORSHIP

NEWSPAPER EXECUTIVES and the federal government have agreed to continue their study of means by which publication of vital security information helpful to enemies of the United States can be prevented. Despite a preliminary rebuff, President Kennedy still is believed to attach great importance to eventual development of some system of voluntary censorship that will head off harmful disclosures. Meanwhile, the press has been given a general guide for exercise of its function in a period of national peril. The President set forth that guide in an address before the American Newspaper Publishers Association on April 27: "Every newspaper now asks itself, with respect to every story: 'Is it news?' All I suggest is that you add the question: 'Is it in the national interest?'"

PRESIDENT KENNEDY'S CALL FOR VOLUNTARY CENSORSHIP

The administration's concern over the flow of information on matters affecting the country's security was first expressed only a few days after President Kennedy took office. Pierre Salinger, White House press secretary, told the National Press Club, Jan. 25, of a test in which a committee had been asked to develop estimates of the nation's military strength, policy and capability, using only such materials as were publicly available. "Their estimate was almost totally accurate," Salinger said, "and I believe this indicates we have been going too far in discussing matters affecting the national security." Later the same day, the President said at his first news conference: "I am anxious that we have a maximum flow of information, but there quite obviously are some matters which involve the security of the United States, and it is a matter on which the press and the Executive should attempt to reach a responsible decision."

Failure of the April 17 invasion of Cuba by exiles—a paramilitary operation under management of the Central Intelligence Agency which suffered from security leaks—

prompted a more specific appeal from the President for press restraint. In his speech to the newspaper publishers in New York, ten days after the landings in Cuba, Kennedy voiced harsh criticism of current news practices:

For the facts of the matter are that this nation's foes have openly boasted of acquiring through our newspapers information they would otherwise hire agents to acquire through theft, bribery or espionage; that details of this nation's covert preparations to counter the enemy's covert operations have been available to every newspaper reader, friend and foe alike; that the size, the strength, the location and the nature of our forces and weapons, and our plans and strategy for their use, have all been pinpointed in the press and other news media to a degree sufficient to satisfy any foreign power; and that, in at least one case, the publication of details concerning a secret [missile tracking] mechanism in our possession required its alteration at the expense of considerable time and money.

Kennedy said that such stories undoubtedly would not have been published had the United States been engaged in open warfare, "but in the absence of open warfare, they [the newspapers] recognized only the tests of journalism and not the tests of national security." He added: "My question tonight is whether additional tests should not now be adopted."

The President said that he had no intention of establishing a new Office of War Information to regulate the flow of news; that he was not suggesting any new forms of censorship or new types of security classification. "But I am asking the members of the newspaper profession and industry in this country to re-examine their own obligations—to consider the degree and the nature of the present danger—and to heed the duty of self-restraint which that danger imposes upon us all." At the same time he issued an invitation: "Should the press of America consider and recommend the voluntary assumption of specific new steps or machinery, I can assure you that this administration will cooperate wholeheartedly with those recommendations." ¹

EXPLORATORY WHITE HOUSE TALKS WITH NEWS EXECUTIVES

President Kennedy's various statements led eight leading editors, publishers and press association executives to request a meeting with the President. Following a 70-minute private session on May 9, a statement was read

¹ For full text of the President's New York speech, see *Congressional Quarterly, Weekly Report* of May 8, 1961, pp. 776-777.

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to the White House press corps, signed by Felix R. McKnight (*Dallas Times-Herald*), president of the American Society of Newspaper Editors, and Mark Ferree (Scripps-Howard newspapers), president of the American Newspaper Publishers Association.² It read in part:

The newspaper group and the President had an exchange of views on the subject of the press and national security. . . . It was agreed that the government and the press groups would continue to review this subject and meet again in several months. The President assured the group that the administration intends to continue its policy of free access to the news and that no form of restriction is contemplated or suggested.

McKnight replied in the negative when asked if there had been any discussion about setting up formal machinery for reviewing press copy in the light of national security requirements. "We didn't attempt to set up any," he said. "We were just discussing the broad area. . . . Our position is that there is no necessity for it at the moment, and that is the reason for the continuing look at this thing as we go along and see where we stand."

Pierre Salinger disclosed on May 19 that the President had suggested at the meeting ten days earlier that the press "might want to appoint someone in whom it would have confidence to check with in case questions involving national security come up." Salinger was responding to a question about a *Boston Globe* story that said the President had suggested that newspapers appoint someone from their ranks as an adviser on whether to publish pieces of information which might affect security. Salinger explained that this adviser would be briefed by the government on all matters of national security, and that editors and publishers would have the option of taking or rejecting his advice.

Editor & Publisher reported on May 13 that Washington gossip had it that Kennedy had a memorandum prepared "but did not produce it because the newspaper people didn't ask to see it." *E & P's* Washington correspondent wrote that "The belief here is that the President will have this material handy to lay on the table if and when another situation, such as the Cuban invasion fiasco, creates a need

² Other participants in the White House meeting were: D. Tennant Bryan (*Richmond Times Dispatch*) and Irwin Maier (*Milwaukee Journal*), both directors of the A.N.P.A.; Turner Catledge (*New York Times*) and Lee Hills (*Knight Newspapers*), both directors of the A.S.N.E.; Frank Bartholomew, president of United Press International; and Benjamin M. McKelway (*Washington Star*), president of the Associated Press.

for a second talk with the press." Frank H. Bartholomew, president of United Press International, told reporters on May 19 that he left the Washington conference with the feeling that a program for channeling government news about defense matters was by no means a dead issue in the President's mind.

LACK OF AGREEMENT BETWEEN PRESIDENT AND THE PRESS

That President Kennedy was less than satisfied with the newspapermen's reception of his suggestions was made evident by subsequent statements. In an open letter, May 15, to Alicia Patterson, editor and publisher of *Newsday*, a newspaper in Garden City, Long Island, the President noted that "I have asked the newspaper industry, without much success, to exercise more self-restraint in publishing intelligence data helpful to any enemy." Kennedy's views were given in response to a telegram from Miss Patterson, May 4, asking him to spell out the "sacrifices" he had twice called on Americans to make.

In an appearance before the 1961 United Press International conference of publishers and editors in Washington, June 8, the President was asked if he still saw a need for voluntary censorship. He replied that he had explained "my view and concern, which I do not think is a new one; I think every President has felt it, and that is that in meeting our responsibilities to our citizens, that we do proceed with responsibility in printing those matters which come in the intelligence field, but I think I have said from the beginning this is a matter which the press must decide." Kennedy then declared that "there is no proposal that the federal government . . . take any action in that area."

President Kennedy's several pleas for journalistic self-restraint brought a variety of reactions from within and outside the newspaper field. In general, editors were agreed that purely military secrets should not appear in print. But more specific definitions were sought of what might constitute security breaches under present world conditions.

"The President's concern is valid," wrote C. L. Sulzberger in the *New York Times*, May 13. "If he did not point out a precise way of rectifying obvious weaknesses, neither do those who dispute him." Louis M. Lyons, curator

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of the Nieman Foundation for Journalism at Harvard University, raised the question: "Would press and public have a better chance to sustain a maximum of dependable information through the proposed arrangement [voluntary access to a security clearing house] or through doing nothing until a more drastic governmental move became inevitable?"³

J. R. Wiggins, editor of the *Washington Post* and former chairman of A.S.N.E.'s Freedom of Information Committee, commented: "It is just possible that a system of civilian-administered, voluntary censorship such as that of World War II, taking into account the right to know, might be less restrictive than the military censorship at the source now in effect. It is worth study." However, John Hay Whitney, publisher of the *New York Herald Tribune*, seemed to express the prevailing newspaper view when he said that "If there were any possible agreement on what is in the interest of security and what is not, we should never have had the pressures for censorship, nor on the other hand the constant struggle of newsmen for access to legitimate news."

While newspapermen generally responded with circumspection to the President's plea for self-restraint, more critical comment came from politicians. Former Vice President Richard M. Nixon told the Detroit Press Club, May 9, that "The whole concept of a return to secrecy in peacetime demonstrates a profound misunderstanding of the role of a free press as opposed to that of a controlled press." He said that the President's remarks would "inevitably encourage government officials to further withhold information to which the public is entitled" and that "the plea of security could well become a cloak for errors, misjudgments and other failings of government." Sen. Hugh Scott (R Pa.) said on May 12: "I am pleased that representatives of the American press apparently rejected the idea of voluntary censorship. They pointed out that any responsible editor faces judgments every day on whether information to be printed is a threat to national security."

Chairman John E. Moss (D Calif.) of the House special subcommittee on government information said in a statement, April 29, that "Too often in the past the subcommittee has uncovered information withheld by officials who

³ Louis M. Lyons, "What's Fit to Print?", *New Republic*, June 5, 1961, p. 18.

contended the disclosure would endanger national security whereas they were merely trying to protect their own political security."

Newspaper people showed little sympathy for administration complaints on coverage of the Cuba invasion. James Reston wrote in the *New York Times*, April 26: "Castro had his agents in the refugee recruiting and training camps. The Cuban radio was broadcasting all about these camps and the U.S. government's part in them weeks before they were discussed in the American press. . . . In fact, the only people who knew very little about what was happening back in the early planning stages of the exercise were the American people." This general theme ran through many comments on press handling of the Cuban misadventure.⁴

Responsibility for Open Intelligence Breaches

EDITORS AND PUBLISHERS who heard the President's pleas for greater press restraint at newspaper conventions in the spring were virtually unanimous in maintaining that the primary responsibility for protecting government secrets lay with the government itself. They pointed out that much of the kind of information to whose publication the President objected had its source in government—frequently in official publications or in calculated leaks by Defense Department officials.⁵

In the same week that the President addressed the Newspaper Publishers Association, *Military Review*, a semi-official, but wholly public, magazine issued by the Army Command and General Staff School, reported that American military leaders believed they knew the locations of 37 Soviet missile-launching pads and 14 Soviet missile factories. The article stated that those leaders estimated that

⁴A group of Florida newspaper editors did try to restrict their coverage of re-invasion activities by Cuban exiles, but the very facts which they withheld from their own readers were disclosed in stories published in other parts of the country.

⁵Military information is said also to reach Communist hands through the North Atlantic Treaty Organization and other military alliances. Henry J. Taylor, former United States ambassador to Switzerland, wrote in a newspaper column, June 5, that about 600 diplomats, politicians and soldiers in 14 countries have access to NATO's military plans. He said the Soviet Union had penetrated this structure and frequently was fully informed on NATO strategy "before many in our own Washington government may know it."

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the Russians had 35 to 50 long-range war rockets ready to fire. In this case the security breach, if any, originated with the military service. Complaint has been made that other semi-official service publications, technical journals, and even advertisements by defense contractors have contained information of obvious interest to a potential enemy. Former Secretary of Defense Neil H. McElroy himself disclosed at his final news conference, Dec. 1, 1959, that the United States and the Soviet Union then each had only about 10 combat-ready intercontinental missiles.

In another recent case of poor security at the source, American newsmen attending a State Department background briefing in April were required to hold remarks made by President Kennedy at the conference off the record. Yet a Communist reporter for the Polish Press Agency was admitted to the conference and allowed to take notes. Newsmen complained that the American people in this instance were denied information that would quickly reach the Kremlin.

NEW EFFORT TO STEM SECURITY LEAKS FROM PENTAGON

While denying responsibility for disclosures which result from loose security controls, some newspaper leaders have expressed concern over administration efforts to regulate the flow of news from government agencies through new restrictions at the source. Eugene S. Pulliam, Jr., editor of the *Indianapolis Star*, reported to the board of directors of the American Society of Newspaper Editors on April 18, as chairman of its Freedom of Information Committee: "President Kennedy, both before and after his election, was on record in writing as believing in freedom of information and the duty to see that the people are informed. To date, neither he nor his administration has lived up to his promise." Pulliam's criticism was directed chiefly at the State and Defense departments.

Shortly after Inauguration Day, Admiral Arleigh A. Burke, Chief of Naval Operations, was ordered by the White House to revise the advance copy of a speech in which he expressed in strong language the opinion that Soviet officials were not to be trusted. President Kennedy at his Feb. 1 press conference defended this order on the ground that "If a well-known, high-ranking military figure makes a speech, which affects foreign policy or possible military policy, I think that the people and the countries

abroad have a right to expect that that speech represents the opinion of the national government." At the time revision of the Burke speech was ordered, the administration was negotiating with the Soviet Union for release of two United States Air Force pilots whose RB-47 bomber had been shot down over the Barents sea.

The action in the case of the Burke speech was seen as a forerunner of other steps to limit the flow of information from the Pentagon. Defense Department authorities let it be known in April that details on tracking of Soviet satellites would no longer be made public. Information on United States missile firings "not within public view" was ordered withheld unless its publication was specifically authorized by the Office of the Assistant Secretary of Defense for Public Affairs. An order issued in May directed Defense Department personnel to halt the practice of giving anonymous statements to newsmen. Defense Secretary Robert S. McNamara assigned Lt. Gen. Joseph F. Carroll, Inspector General of the Air Force, to deal with the problem of leaks of information.

CRITICISM OF OFFICIAL ATTEMPTS TO SLANT THE NEWS

McNamara declared in closed-door testimony before the Senate Armed Services Committee on April 5, a partial transcript of which was made available to the press on May 10, that it was a mistake to say for publication that the Nike-Zeus anti-missile missile may not be satisfactory. "What we ought to be saying is that we have the most perfect anti-I.C.B.M. system that the human mind will ever devise. Instead the public domain is already full of statements that the Zeus may not be satisfactory, that it has deficiencies. . . . I think it is absurd to release that kind of information for the public."

This remark was taken in some quarters to mean that the Defense Secretary approved the issue of falsely optimistic statements about the Nike-Zeus and other secret weapons. A clarifying statement given out by the Defense Department, May 11, said: "Under no circumstances does Secretary McNamara feel that the American public should be misled about a military program. But at the same time he doesn't think we should gratuitously provide any potential enemy with valuable information about difficulties encountered in the development of a new weapons system."

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Chairman Moss of the House government information subcommittee said on May 12 that McNamara's "advocacy of a program of misinformation constitutes a grave disservice to a nation already confused and suffering from informational malnutrition." Moss earlier had expressed concern in a letter to the Defense Secretary about the assignment of Gen. Carroll to investigate Pentagon leaks. He had written on March 7 that "There is grave danger that Gen. Carroll's investigation will cause a renewed emphasis on excessive restriction of Defense Department information and result in the imposition of the sort of censorship which is repugnant to a democratic system."

DWINDLING FLOW OF DEFENSE INFORMATION TO PUBLIC

Several rules to guide Pentagon officials in giving information to the public were laid down by McNamara at his May 25 news conference. He said the public must be informed of the major defense issues, with the arguments on both sides made clear, "so there is a consensus of confidence in the ultimate decision." It was essential to avoid disclosure of information "that can be of material assistance to our potential enemies" but "equally important to avoid overclassification" of information; "public statements of what appears to be Department of Defense policy must reflect our policy in fact." Furthermore, it was important that all Pentagon officials limit their public statements to defense matters and avoid discussion of matters of foreign policy.

While McNamara's new policy would restrict the flow of information in some respects, it would at the same time "encourage more open, responsible discussion of the pros and cons of national defense policies and practices." Reporters regularly assigned to the Pentagon continued to complain that never before had the long-standing conflict with the Defense officials over withholding information reached such intensity. Richard Fryklund, military correspondent for the *Washington Star*, wrote on May 31: "The reporters say Defense Secretary McNamara's information policies stifle the news and make it virtually impossible for military or civilian officials to discuss both sides of important issues with them without breaking the rules."

Newsmen covering Congress also were finding it more difficult to get accurate information on basic defense mat-

ters. Sen. Richard B. Russell (D Ga.), chairman of the Senate Armed Services Committee, stated during debate on a \$12.5 billion defense authorization bill, May 15, that he did not believe it to be "in the public interest to designate and publicize the purpose for which every dollar is spent by the Department of Defense." As floor manager of the bill, Russell explained its provisions in broad terms and said that some types of information that had been disclosed in the past, such as number of missiles and planes to be built, were being kept secret. He said he would provide any interested senator with a private breakdown of the spending, but he declined to make the data public. This was the practice followed, without objection from the press, during World War II and the immediately preceding national defense emergency.

Models for Censorship in National Emergencies

ANY SYSTEM of press censorship that may be established in the early or more remote future would probably be modeled on procedures developed in past periods of national emergency or actual war. A number of possible approaches are available, ranging from the system of news suppression employed during World War I to the almost wholly voluntary restraints put on the press during the Korean War. Several blueprints for both peacetime and wartime censorship are known to have been formulated by various government agencies and commissions since World War II and filed away for possible future use.

EARLY EXPERIENCE WITH HARMFUL DISCLOSURES

During the War for Independence, the Revolutionary armies benefited in some cases from military information printed in newspapers published in territory occupied by the British and carried through the lines. And on several occasions Gen. George Washington expressed concern over cases in which the patriot press disclosed valuable information to the enemy.

"It is much to be wished," Washington wrote the president of the Continental Congress in May 1777, "that our printers were more discreet in many of their publications.

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We see almost in every paper proclamations or accounts . . . of an injurious nature. If some hint or caution could be given them [the newspapers] on the subject, it might be of material service." ⁶

Secrecy precautions during the Civil War, although frequently strict, alternated with periods of lax censorship. Leaks occurred often from Washington despite War Department control of the telegraph lines. Newspapers on occasion ignored requests that certain military information not be printed. When the War Department in the autumn of 1863 asked that no mention be made in the press of plans to reinforce the Army of the Potomac, the *New York Evening Post* published the full details. Numerous publications were suppressed by military order for "giving aid and comfort to the enemy," and Gen. Ulysses S. Grant in the spring of 1863 had a correspondent for the *New York Herald* tried by court martial. The correspondent was sentenced to banishment from the military department under Grant's command, but this sentence was subsequently revoked by President Lincoln.

SYSTEMS OF CENSORSHIP IN WORLD WARS I AND II

On April 13, 1917, one week after the United States entered World War I, President Wilson created by executive order the Committee on Public Information and named George Creel, former editor of the *Denver Rocky Mountain News*, to head it. Creel insisted that voluntary methods could provide all the censorship that was needed, but the shadow of involuntary censorship grew very real with passage of the Espionage Act in June 1917. Armed also with the Trading With the Enemy Act of October 1917 and the Sedition Act of May 1918, the government was in position to exercise a variety of powers that could be used to impose drastic censorship.

Creel himself warned the press against printing disparaging reports or comments about the armed forces, or irresponsible dispatches from "special" but unidentified correspondents, and against unverified or exaggerated reports that might raise public alarm. He issued "Regulations for the Periodical Press of the United States During the War," under which news was placed in three categories

⁶ Thomas Jefferson, in a letter written in 1813, recalled that "The first misfortune of the Revolutionary War induced a motion to suppress or garble the account of it. It was rejected with indignation."

—dangerous, questionable, and routine. In cases of doubt, editors and writers were asked to submit the copy to C.P.I. for decision.

Most publications did their best to comply with Creel's code, but the censorship was said to be "more real than voluntary" because of broad powers exercised by the Post Office Department over the mailing of any newspaper or other publication it might regard as disloyal.⁷

At the end of the war, Creel said that "Virtually everything we asked the press not to print was seen or known by thousands." He expressed the view that the answer to control of military information lay in "secrecy at the source," through action by the military departments, without reliance on press judgment.

First government efforts to obtain press cooperation in withholding information in the World War II period preceded by nearly a year the formal declaration of war by Congress. Secretary of the Navy Frank Knox on Dec. 31, 1940, asked news editors and radio broadcasters to avoid any mention of (1) actual or intended movements of vessels or aircraft of the United States Navy, or movements of naval or Marine Corps units; (2) new United States Navy ships or aircraft; (3) United States Navy construction projects ashore. Communications media generally cooperated, although there was some criticism of the press for reporting congressional discussions of Navy movements and for disclosing the presence in American ports of British war vessels.

Censorship was put into effect on Dec. 8, 1941, on the declaration of war, with J. Edgar Hoover, director of the Federal Bureau of Investigation, named as temporary coordinator of all news and communications controls. The Navy undertook censorship of overseas communications, and President Roosevelt appealed to press and radio to refrain from publishing unconfirmed reports.

On Dec. 16, 1941, the President announced appointment of Byron Price, then acting general manager of the Associated Press, as Director of Censorship. The announcement said that it was necessary to withhold some news at the source and to prevent domestic publication of some types of information, and that the government was re-

⁷ James E. Pollard, *The Presidents and the Press* (1947), p. 664.

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questing the press and radio to abstain voluntarily from dissemination of detailed information of certain kinds. It was generally understood that if the voluntary system did not yield the desired results, stronger measures would be put in force.

SUCCESS OF PRESS CENSORSHIP UNDER BYRON PRICE

The first code of wartime practices for newspapers, magazines and other periodicals was issued by the Office of Censorship on Jan. 15, 1942; it set forth categories of news that were not to be published without appropriate authority. Types of information that required authorization before publication included troop strength and movements, ship movements and sinkings, air attacks, location of aircraft, descriptions of fortifications, production contracts and capacity, weather forecasts and reports, rumors on enemy damage, photographs and maps useful to the enemy, and reports of casualties. The code was revised each six months. "The significant words in the operation of the code were 'appropriate authority.' The Office of Censorship did not undertake to suppress information that 'appropriate authority' officially gave out."⁸

After the war, Price summarized the principles upon which the Office of Censorship had operated. Voluntary censorship, he said, must deal only with questions involving security and must avoid any interference whatever with editorial opinion. The danger to security must be real before a request for suppression of news is made, and the request must be backed by a solid and reasonable explanation. Voluntary censorship must never be influenced by non-security considerations of policy or public needs. The censor must make no requests which would place the press in the position of policing or withholding from publication the utterances of responsible public officials. On no account must any information which has been generally disseminated abroad be withheld from the American public. The censor must never undertake to vouch for the truth or accuracy of a news story, and he must be absolutely impartial and consistent. Finally, censorship must operate openly so as to retain public confidence in both the government and the press.

Price's system functioned so successfully that most subsequent recommendations for peacetime censorship en-

⁸ James Russell Wiggins, *Freedom or Secrecy* (1956), p. 98.

vision a scheme patterned on the World War II model. J. R. Wiggins has noted, however, that so much of this success "depended on the personality of Byron Price that support for this system may be more a personal tribute to him than an endorsement of the principle." Wiggins warned that "an administrator of different inclination and philosophy might make such a [press] code an instrument of news suppression."⁹

ABORTIVE POSTWAR MOVES TOWARD PRESS CENSORSHIP

With termination of the Office of Censorship by President Truman on Aug. 15, 1945, communications media were free to print or relate every piece of news that came into their possession. Censorship was at the source, exercised through the power of government to withhold information. But government officials soon expressed interest in imposing additional restraints upon the flow of military and technical information.

Secretary of Defense James V. Forrestal in March 1948 called a meeting of various media representatives and proposed establishment of (1) a "security advisory council" of six members, appointed from the media ranks, to advise him, and (2) an information advisory unit within the military establishment to answer inquiries on security subjects and offer guidance to newsmen. Forrestal urged "an assumption by the information media of their responsibility in voluntarily refraining from publishing information detrimental to our national security." Because of press dissent, the Forrestal plan never went into effect.

After the outbreak of the Korean War in June 1950, the government again was confronted with a problem of deciding what measures should be taken to restrict publication of information of a military nature. The administration decided not to invoke again the voluntary censorship of World War II, possibly because no formal declaration of war had been voted by Congress. Formal field censorship in Korea itself was avoided for some months, with Gen. Douglas MacArthur putting the press on its own responsibility not to divulge information useful to the enemy. At home, the Army on July 11 asked the press not to disclose National Guard calls, and naval personnel were ordered to withhold news of intended ship

⁹ *Ibid.*, pp. 117-118.

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departures. Numerous requests to the press to refrain from publishing facts in certain security categories followed until the war's end.

A new effort to bring a system of voluntary censorship into being came in November 1954, when Commerce Secretary Sinclair Weeks announced that at the direction of the President and on recommendation of the National Security Council he was setting up an Office of Strategic Information in the Department of Commerce. This office would work with the business community—including publishers—"in voluntary efforts to prevent unclassified strategic data from being made available to those foreign nations which might use such data in a manner harmful to the defense interests of the United States." Although the new office had no authority to compel compliance with any of its suggestions, its activities brought a chorus of complaint from the press. The administration finally agreed to abolish the office and Congress made the choice easier by refusing to appropriate any funds for its operation beyond July 1, 1957.

SECURITY PROPOSALS OF COOLIDGE AND WRIGHT GROUPS

Heating of the cold war with the Communist states made it certain that the search for ways to prevent publication of facts deemed of value to an enemy would go on. Leaks of classified information moved Secretary of Defense Charles E. Wilson in 1956 to appoint a committee to suggest ways to "eliminate this threat to the national security." The chairman, former Assistant Secretary of Defense Charles A. Coolidge, later revealed that the occasion for Wilson's action had been publication in the *New York Times*, July 13, 1956, of a story which disclosed the existence of a secret memorandum by Adm. Arthur W. Radford, chairman of the Joint Chiefs of Staff, proposing a reduction of 800,000 men in the armed forces.

The Coolidge committee stressed in its report to Secretary Wilson, Nov. 8, 1956, that it was difficult if not impossible to track down the source of a leak in an establishment as large as the Defense Department.¹⁰ It therefore recommended that where a news story "obviously gravely damages" the national security, the author "be summoned to testify in a grand jury investigation in order to dis-

¹⁰ The source of the leak to the *New York Times* was not discovered.

cover the source of the leak." Concern over the Coolidge committee's proposal abated when Secretary Wilson said that he had "serious reservations" about bringing reporters before grand juries, where they would be subject to punishment for contempt if they refused to identify news sources.

The issue was revived and sharpened, however, when a federal Commission on Government Security—known as the Wright commission—proposed in a report made public on June 23, 1957, that the espionage laws be amended to provide punishment for reporters who wilfully divulge information classified as secret or top secret.¹¹ As a "genuine deterrent," the commission recommended legislation to penalize offenders with fines up to \$10,000 and/or prison terms up to five years.

Lloyd Wright, chairman of the commission and a former president of the American Bar Association, took special note of this recommendation in a statement appended to the commission's report. While most of the press had conscientiously observed security requirements, he wrote, there had been exceptions "which for some reason have escaped prosecution." And he added that "The purveyor of information vital to national security, purloined by devious means, gives aid to our enemies as effectively as the foreign agent."

Wright was promptly challenged by the Moss subcommittee on government information and by the press to cite any evidence supporting the charge that newsmen had "purloined" defense secrets and divulged them to the detriment of national security. In a statement, June 30, 1957, Wright said he was not able to provide details of certain "dark chapters of betrayal" because the information was classified and the responsible officials had denied his request for declassification. He then listed 25 instances which he said were "freely available to anyone who reads the daily newspapers." The Moss subcommittee concluded in a report issued June 16, 1958, however, that Wright had failed to "cite a case of a 'purloined' document or show that alleged breaches of security were published specifically from unauthorized access to properly classified papers."

The subcommittee report criticized the Wright commis-

¹¹ See "Secrecy and Security," *E.R.R.*, 1957 Vol. II, pp. 565-581.

sion's indictment of the press as "symptomatic of self-styled security experts who point an accusing finger at newsmen for stories which often are based on properly cleared or otherwise publicly available information." It concluded: "The trail which Mr. Wright seeks to blaze in the wilderness of excessive secrecy leads inevitably to censorship unparalleled in this country, even in time of war."

Other hearings and investigations by the Moss subcommittee have been held from time to time to look into charges that information damaging to the national security has been published in the press. But as Moss noted in a statement issued April 29 shortly after President Kennedy's call for self-restraint by the press, "In almost every past instance, the so-called security breach has turned out to be a carefully controlled leak of information favorable to the viewpoint of some government official, federal agency or military service."

Modes of News Control in Foreign Countries

THE PRESS of relatively few countries today enjoys, or has ever enjoyed, the degree of freedom in reporting facts that may be of interest to its readers that is exercised by the press of the United States. Even countries classified as having full press freedom¹² find means of preventing publication of news deemed by governmental authority to be detrimental to the national interest. An Associated Press compilation of reports from chiefs of its foreign bureaus at the end of last year led to the conclusion that "press censorship, often disguised, grew tighter in many areas of the world in 1960."

The Soviet government long has exercised rigid control over internal dissemination of news. The Russian censorship's functioning arm is the Main Literary Administration—known as Glavlit—which operates under the guidance of the Agitation and Propaganda Section of the Communist Party's Central Committee. Its primary task is to examine all written material for publication within the Soviet Union and make sure that it does not depart from

¹² A recent survey found that there were 44 of these in a total of 140 countries. "How Free Is the World Press?", *U.S. News & World Report*, Oct. 17, 1960, p. 73.

the party line. Such close monitoring of information makes extremely unlikely the inadvertent publication of military news of value to an outside power.¹³

In France, government officials have used the long-continued fighting in Algeria as a reason to impose severe restrictions on the press. National security laws have been interpreted to allow seizure by the Interior Ministry of whole editions of newspapers. "Practically every confiscation is followed by an official charge, instituted by the Interior Ministry, that the newspaper has 'endangered the internal [or external] safety of the state.' Generally the legal action remains pending for months, or even years."¹⁴

In Great Britain, where freedom of the press is considered a fundamental right, a modest amount of control is exercised by the government over the printing of information deemed to be in the realm of national security. The London government continues the World War II practice of sending out to British editors from time to time "D-List" notices which ask that they refrain from publishing technical details bearing on official intelligence. The notices are sent by the Government's Services Press and Broadcasting Committee after formal discussion with press representatives. The committee requests; it does not demand. However, the press generally follows the requests rather than run the risk of possible prosecution under Britain's Official Secrets Act. This act makes it a crime for newspapers knowingly to publish information classified as secret by the government.

The British system seems to have worked to the satisfaction of both the government and the press in most cases, but doubt has been expressed that what is acceptable under a parliamentary form of government could be applied in quite the same form in the United States. British newsmen are seldom the recipients of official leaks from the military services, and the bulk of their information on government activities originates in Parliament where Cabinet officials undergo periodic questioning by the opposition.

¹³ Prior censorship of outgoing news dispatches from non-Communist correspondents in Moscow also was exercised until March 23, 1961, when this form of control was lifted. Correspondents were warned, however, that they would be held fully accountable for transmission of reports that the authorities considered incorrect or in the field of rumor.

¹⁴ Alexander Werth, "Is the French Press Free?", *The Nation*, Sept. 3, 1960, p. 112.

